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Docket No. 13382-US-PA
US App. No. 10/810,090

REMARKS**Status of the Application**

Claims 1-18 are previously pending.

Claim 1 was rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement.

Claims 1-3 were rejected under 35 USC 102(e) as being anticipated by Kobayashi et al. (US 6,741,223).

Claims 3-5 were rejected under 35 USC 103(a) as being unpatentable over Kobayashi et al.

Claims 6 and 7 were rejected under 35 USC 103(a) as being unpatentable over Kobayashi et al. as applied to claim 3, and in view of Menig et al. (US 6,289,332).

Claim 8 was rejected under 35 USC 103(a) as being unpatentable over Kobayashi et al. as applied to claim 3, and in view of Breed et al. (US 5,845,000).

Claims 9 and 10 were rejected under 35 USC 103(a) as being unpatentable over Kobayashi et al. as applied to claim 1, and in view of Okuyama et al. (US 5,677,701).

Claims 13-17 were rejected under 35 USC 103(a) as being unpatentable over Kobayashi et al. as applied to claim 1, and in view of Parker et al. (US 6,886,956).

Claims 11-12 were objected to for being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim.

Applicant has amended claims 1, 3-12, 14-16, and 18. No new matter adds through the amendments. For the reasons discussed below, withdrawal of the objections and rejections is requested.

Claim Rejection- 35 U.S.C. 112, Frist Paragraph

Claim 1 was rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement.

More specifically, the Examiner believes that the following recitation in claim 1 is not properly supported by the specification:

"wherein said display controlling portion controls the display device such that the vehicle

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information reflected by the second reflecting mirror member is visible to be more enlarged than the vehicle information reflected by the first reflecting mirror member.”

Applicant respectfully disagrees. Applicant believes the above feature recited in claim 1 is fully supported by the original disclosure. Nevertheless, Applicant has further amended claim 1 to advance this application. It is believed the amendments made to claim 1 have overcome the rejections. The amendments are fully supported by the specification, for example, by paragraphs [0060] and [0061].

Withdrawal of the rejection is requested.

Claim Rejections- 35 U.S.C. 102(e)

Claims 1-3 were rejected under 35 USC 102(e) as being anticipated by Kobayashi et al. (US 6,741,223).

Applicant has amended claim 1 to more clearly define the invention. The amended claim 1 recites:

“said display controlling portion controls the display device to display a diagram of the vehicle information, which is reflected by the second reflecting mirror member in a normal condition, and the diagram, which is reflected by the first reflecting mirror member as a warning display, in which the diagram reflected by the second reflecting mirror member is displayed to be larger than the diagram reflected by the first reflecting mirror member”.

Kobayashi at least does not teach or suggest the above feature of claim 1.

As described in paragraph [0060] of the specification, “the fuel gauge displaying 22 and the coolant temperature gauge displaying 23 are displayed at the proximity of periphery of left and right edges of the farthest mirror member 19 in a normal condition as shown by a two-dot chain line in FIG. 1. However, if there is a necessity of call the occupant's attention such as the reduction in the remaining amount of fuel and the rise in the water temperature, the fuel gauge displaying and the coolant temperature gauge displaying are to be displayed at the position nearest to the occupant with relatively large size as a warning display, thus it is possible to call the occupant's attention”. According to the present invention as defined in the amended claim 1, only by changing the reflecting mirror member on which the vehicle information is to be reflected (according to a predetermined criterion such as the reduction in the remaining amount

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of fuel and the rise in the water temperature), the vehicle information in case that the occupant's attention needs to be called can be displayed to be larger than that in the normal condition.

Kobayashi teaches a display device including a display unit capable of displaying a three dimensional image by shifting the position of a real image and a virtual image in a front and back direction, and a total control unit for controlling a display content of the display unit. In Kobayashi, a display control unit 32 is provided for controlling the display content displayed by a display unit 12. Col. 8, lines 6-33. But, the display control unit 32 does not control the enlargement of the displayed vehicle information by changing the reflecting mirror member on which the vehicle information is to be reflected according to a predetermined criterion.

For at least the reasons discussed above, Kobayashi cannot anticipate claim 1 and its dependent claims 2-3. Withdrawal of the rejection is requested.

Claim Rejections- 35 U.S.C. 103(a)

Claims 3-5 were rejected under 35 USC 103(a) as being unpatentable over Kobayashi et al.

For the reasons discussed above, claim 1 is believed patentable over Kobayashi et al.. Claims 3-5 depend on claim 1 and, therefore, are also patentable over Kobayashi et al. for at least the same reasons.

Claims 6 and 7 were rejected under 35 USC 103(a) as being unpatentable over Kobayashi et al. as applied to claim 3, and in view of Menig et al. (US 6,289,332).

Menig teaches a message system for a vehicle which provides an extendable, prioritized message scheme. As shown in Fig. 9 and described on Col. 12, lines 4-24, Menig teaches that "[a]s the closing time between the truck and the obstacle reaches predetermined values associated with each stage, the message center displays a progressively larger triangle and the words, "DANGER AHEAD". However, Menig cannot cure the above discussed deficiencies of Kobayashi.

Therefore, the combination of Kobayashi and Menig cannot render obvious the amended claim 1. Claims 6-7 indirectly depend on claim 1 and, thus, are patentable over Kobayashi and Menig for at least the same reasons as claim 1.

In addition, claims 6 and 7 contain features that further distinguish over Kobayashi and

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Menig as discussed in previous response.

Claim 8 was rejected under 35 USC 103(a) as being unpatentable over Kobayashi et al. as applied to claim 3, and in view of Breed et al. (US 5,845,000).

Breed was cited to teach an eyepoint detecting means for detecting an eyepoint of the occupant. However, Breed clearly cannot cure the deficiencies of Kobayashi as discussed above in connection with claim 1.

Therefore, the combination of Kobayashi and Breed cannot render obvious the amended claim 1. Claim 8 indirectly depends on claim 1 and, thus, is patentable over Kobayashi and Breed for at least the same reasons as claim 1.

Claims 9 and 10 were rejected under 35 USC 103(a) as being unpatentable over Kobayashi et al. as applied to claim 1, and in view of Okuyama et al. (US 5,677,701).

Okuyama was cited to teach a rotational lid member for opening and closing an area of the cluster and a cover member provided in the cluster (claim 9) and to teach an interlocking mechanism for interlocking an erecting operation of the reflecting mirror member (claim 10).

However, Okuyama clearly cannot cure the deficiencies of Kobayashi as discussed above in connection with claim 1.

Therefore, the combination of Kobayashi and Okuyama cannot render obvious the amended claim 1. Claims 9-10 depend on claim 1 and, thus, is patentable over Kobayashi and Okuyama for at least the same reasons as claim 1.

Claims 13-17 were rejected under 35 USC 103(a) as being unpatentable over Kobayashi et al. as applied to claim 1, and in view of Parker et al. (US 6,886,956).

Parker was cited to provide the elements in claims 13-17 that are missing from Kobayashi.

However, Parker clearly cannot cure the deficiencies of Kobayashi as discussed above in connection with claim 1.

Therefore, the combination of Kobayashi and Parker cannot render obvious the amended claim 1. Claims 13-17 depend on claim 1 and, thus, is patentable over Kobayashi and Parker for at least the same reasons as claim 1.

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Docket No. 13382-US-PA
US App. No. 10/810,090Allowable Subject Matter

The Examiner is thanked for pointing out that claims 11-12 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Accordingly, Applicants have amended claim 11 to place it in condition for allowance. The amended claim 11 corresponds to the combination of the originally filed claim 1 and claim 11.

Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that all pending claims 1-18 are now in condition for allowance. Allowance of this application is earnestly solicited.

Respectfully submitted
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